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Attorney Docket No. Z2011-701519 (Formerly 970118)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 5,929,601  
Issue Date: July 27, 1999  
Applicants: Thomas E. Kaib et al.  
Serial No.: 08/995,713  
Confirmation No.: 8163  
Filing Date: December 22, 1997  
For: BATTERY MANAGEMENT APPARATUS FOR  
PORTABLE ELECTRONIC DEVICES  
Examiner: Tso, Edward H.  
Art Unit: 2838

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NOV 23 2010

OFFICE OF PETITIONS

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(a)

The undersigned hereby certifies that a copy of the following documents in the above-identified patent application are being facsimile transmitted to ATTN: MAINTANCE FEE BRANCH, U.S. Patent and Trademark Office, at the number 571-273-6500, on the 19<sup>th</sup> day of November, 2010.

/James C. De Vellis/  
James C. De Vellis, Reg. No. 52,814

**ATTN: MAINTANCE FEE BRANCH**  
Commissioner for Patents

**REQUEST FOR CORRECTION OF ERROR IN SMALL ENTITY STATUS**  
**UNDER 37 C.F.R. §1.28(c)**

Sir:

Applicants hereby request correction of errors in small entity status under 37 C.F.R. §1.28(c) as pointed out herein. It has been discovered that the eight year maintenance fee payment was made in error as a small entity. This request complies with the separate submission, itemization and deficiency payment requirements of 37 C.F.R. §1.28(c), as pointed out below.

This paper is limited to the deficiency payment (all fees paid in error) for U.S. Patent No. 5,929,601 in compliance with 37 C.F.R. §1.28(c)(1).

The difference between the current fee amount and the previous fee amount erroneously paid as a small entity, for each individual fee amount erroneously paid is itemized below. The total deficiency payment owed is the sum of the individual deficiency owed amounts as identified below in compliance with 37 C.F.R. §1.28(c)(2)(i-ii).

11/23/2010 DALLEN 00000005 502762 5929601  
01 FC:1599 1330.00 DA

Applicant: Thomas E. Kaib, et al.  
U.S. Patent No.: 5,929,601

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**ITEMIZATION OF THE DEFICIENCY PAYMENT**

Date of Payment	C.F.R. Authority	Fee Erroneously Paid	Current Fee Amount	Deficiency Owed Amount
01/10/07	7.5 year maintenance fee under 37 C.F.R. §1.20(f)	\$1,150	\$2,480	\$1,330
			<b>SUM TOTAL</b>	<b>\$1,330</b>

The total deficiency payment owed is the sum total of the individual deficiency owed amounts identified above, totaling \$1,330.

The Commissioner is hereby requested and authorized to charge \$1,330 to Deposit Account No. 50/2762, Ref. No. Z2011-701519.

Per 37 C.F.R. §1.28(d), payment of the deficiency herewith operates as notification to the U.S. Patent and Trademark Office of the loss of small entity status. The present Assignee of the above-identified patent is not entitled to status as a small entity with respect to this patent, and the claim for small entity status is hereby withdrawn.

A courtesy copy of the already-filed Power of Attorney documents is submitted herewith, indicating that the undersigned has authorization to submit the present Request. The Office is requested to telephone Applicants' undersigned counsel at the number given below if any questions should arise in connection with this matter.

Respectfully submitted,

By: /James C. De Vellis/  
James C. De Vellis, Reg. No. 52,814  
LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
Tel.: (617) 395-7066  
Fax: (617) 395-7070  
Attorney for Applicants

<b>Electronic Acknowledgement Receipt</b>	
<b>EFS ID:</b>	8864298
<b>Application Number:</b>	08995713
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	8163
<b>Title of Invention:</b>	<div style="text-align: center;"><b>COPY OF FILED</b></div> BATTERY MANAGEMENT APPARATUS FOR PORTABLE ELECTRONIC DEVICES  <div style="text-align: center;"><b>COPY</b></div>
<b>First Named Inventor/Applicant Name:</b>	THOMAS E. KAIB
<b>Correspondence Address:</b>	JOHN E GROSSELIN III BUCHANAN INGERSOLL PC ONE OXFORD CENTRE 301 GRANT STREET 20TH FLOOR PITTSBURGH PA 15219 US
<b>Filer:</b>	James Christian De Vellis
<b>Filer Authorized By:</b>	
<b>Attorney Docket Number:</b>	970118
<b>Receipt Date:</b>	18-NOV-2010
<b>Filing Date:</b>	22-DEC-1997
<b>Time Stamp:</b>	16:50:35
<b>Application Type:</b>	Utility under 35 USC 111(a)

**Payment information:**

Submitted with Payment	no
<b>File Listing:</b>	

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (If appl.)
1	Power of Attorney	Z2011-701519_REVPOA.pdf	255180 651379a8f6a37817ca549bac6f5499ac275660	no	3
<b>Warnings:</b>					
<b>Information:</b>					
2	Assignee showing of ownership per 37 CFR 3.73(b).	Z2011-701519_Statement.pdf	427929 e49d90ae55aef7275c2cc01474225d83987f9e	no	2
<b>Warnings:</b>					
<b>Information:</b>					
<b>Total Files Size (in bytes):</b>			683109		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b>          If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b>          If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><b><u>New International Application Filed with the USPTO as a Receiving Office</u></b>          If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

# COPY

**COPY**

Docket No.: Z2011-9000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REVOCATION OF PRIOR POWERS OF ATTORNEY  
and  
NEW POWER OF ATTORNEY**

Sir:

The undersigned, Zoll Medical Corporation, assignee of the entire right, title and interest for all of the patents and patent applications identified in the attached Schedule A, hereby revokes all previous powers of attorney or authorizations of agent given in the identified patents and patent applications and in any divisional, continuing, substitute, renewal or reissue applications thereof, and appoints all practitioners of Lando & Anastasi, LLP associated with Customer Number:

**99808**

as assignee's attorneys or agents with full power of substitution to take any and all action necessary with regard to the identified patents and patent applications, and with regard to any divisional, continuing, substitute, renewal or reissue applications thereof.

Please address all telephone calls to Peter C. Lando at telephone no. (617) 395-7002.

Please forward all correspondence to the correspondence address associated with

Customer Number:

**99808**

**COPY**

Zoll Medical Corporation

By: *Stephen Korn*  
Name: Stephen Korn  
Title: Vice President and General Counsel and Secretary

Dated: 11/19/10

**ASSIGNEE CERTIFICATION**

Attached to this power is a Certificate Under 37 CFR 3.73(b).

Dated: 15 November 2010

*Peter C. Lando*  
Peter C. Lando, Reg. No. 34,654  
LANDO & ANASTASI, LLP  
Riverfront Office Park  
One Main Street  
Cambridge, MA 02142  
(617) 395-7000

**COPY****SCHEDULE A****RECEIVED****NOV 23 2010****OFFICE OF PETITIONS****APPLICATIONS:**

APPLICATION NO.	FILING DATE	ATTORNEY'S DOCKET NO.
61/349,456	05-28-2010	Z2011-700000
12/833,096	07-09-2010	Z2011-700119
60/934,404	06-13-2007	Z2011-700300
12/002,469	12-17-2007	Z2011-700310
12/840,633	07-21-2010	Z2011-700320
12/833,173	07-09-2010	Z2011-700330
61/345,947	05-18-2010	Z2011-700500
61/345,914	05-18-2010	Z2011-700600
61/363,876	07-13-2010	Z2011-700700
12/150,720	04-30-2008	Z2011-702410
12/082,168	04-09-2008	Z2011-702910

**PATENTS:**

PATENT NO.	ISSUE DATE	ATTORNEY'S DOCKET NO.
5,944,669	08-31-1999	Z2011-701419
* 5,929,601	07-27-1999	Z2011-701519
6,169,387	01-02-2001	Z2011-701530
6,253,099	06-26-2001	Z2011-701719
6,681,003	01-20-2004	Z2011-702120
5,741,306	04-21-1998	Z2011-702519
6,097,982	08-01-2000	Z2011-702520
6,280,461	08-28-2001	Z2011-702530
4,928,690	05-29-1990	Z2011-702619
5,078,134	01-07-1992	Z2011-702630
6,065,154	05-23-2000	Z2011-702819

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PTO/SB/96 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)****RECEIVED**Applicant/Patent Owner: Thomas E. Kaib, et al.Application No./Patent No.: 5,929,801Filed/Issue Date: July 27, 1999**NOV 23 2010**Titled: **BATTERY MANAGEMENT APPARATUS FOR PORTABLE ELECTRONIC DEVICES****OFFICE OF PETITIONS**

Zoll Medical Corporation

, a Massachusetts

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest in;
2. ☐ an assignee of less than the entire right, title, and interest in (The extent (by percentage) of its ownership interest is \_\_\_\_\_ %); or
3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made)

the patent application/patent identified above, by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy therefore is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Thomas E. Kaib, et al. To: Lifecor, Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel 009032, Frame 0407, or for which a copy thereof is attached.

2. From: Lifecor, Inc. To: Zoll Medical Corporation

The document was recorded in the United States Patent and Trademark Office at  
Reel 018720, Frame 0288, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet(s).

☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

/James C. De Vellis/

11/18/2010

Signature

Date

James C. De Vellis

attorney of record

Printed or Typed Name

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.